

REMARKS

This Amendment is being filed in response to the Office Action mailed May 7, 2009, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-5 and 7 remain in the Application, where claim 6 had been previously canceled without prejudice. Claim 1 is independent.

In the Office Action, the Examiner objected to claim 7 for depending from canceled claim 6. In response, claim 7 has been amended to depend from claim 1. Accordingly, withdrawal of the objection to claim 7 is respectfully requested.

In the Office Action, claims 1-5 and 7 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 3,950,847 (Duda) in view of U.S. Patent No. 6,568,083 (Taniguchi). Applicant respectfully traverses and submits that claims 1-5 and 7, as amended, are patentable over Duda and Taniguchi for at least the following reasons.

Duda is directed to dry-shaver having a reciprocating drive

cutter that cooperates with a stationary counter-cutter. As correctly noted on page 3 of the Office Action, Duda does not disclose or suggest a carrying device which is movable and carries both the short and long hair cutting devices. Taniguchi is cited in an attempt to remedy the deficiencies in Duda.

Taniguchi is directed to a dry shaver capable of being depressed equally at different positions but with differing contact pressures between outer and inner cutters which appear to be driven. The Taniguchi shaver has a housing that includes short hair inner and outer cutters 61, 62, and a long hair shaving cutter unit 66 located between the short hair inner and outer cutters 61, 62, as shown in FIGS 3 and 5.

Taniguchi specifically recites on column 7, lines 20-23 that:

The head frame 70 thus supporting the outer cutters 62 is mounted on top of the housing 10 and is connected to a height adjust mechanism so as to be vertically movable relative to the housing 10 between a high position of FIG. 1 and a low position. (Emphasis added)

That is, it is the head frame 70, shown in FIG 1, which is vertically movable. As clearly shown in FIG 1, the movable head frame 70 is not in the housing of the Taniguchi shaver. Thus, when

the head frame 70 is moved, the cutting characteristics of both the short hair outer cutters 61, 62 and the long hair cutter unit 66 are changed.

It is respectfully submitted that Duda, Taniguchi, and combination thereof, do not teach or suggest the present invention as recited in independent claim 1 which, amongst other patentable features, recites (illustrative emphasis provided) :

a carrying device which is included in the housing and carries both the short-hair cutting device and the long-hair cutting device and is provided for combined adjustment of the short-hair cutting device and the long-hair cutting device and being movable ... wherein moving the carrying device between the first operating position and the second operating position alters cutting characteristics of the long-hair cutting device while cutting characteristics of the at least one short-hair cutting device remain substantially unchanged.

A carrying device which is moveable between two positions, where cutting characteristics of a long-hair cutting device are changed, while cutting characteristics of the short-hair cutting device remain substantially unchanged, is nowhere disclosed or suggested in Duda and Taniguchi, alone or in combination. Even, assuming arguendo, that these features are somehow disclosed or

suggested in Duda, Taniguchi, and combination thereof, such a combination still does not disclose or suggest that the carrying device, which is movable, is included in the housing. Rather, the movable head frame 70 of Taniguchi for height adjustment is not in the housing of the Taniguchi shaver.

Accordingly, it is respectfully submitted that independent claim 1 should be allowable. In addition, claims 2-5 and 7 should be allowable at least based on their dependence from independent claim 1, as well as for the separately patentable elements contained in each of said claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

For example, as correctly noted by the Examiner on pages 2-3 of the Final Office Action, Duda and Taniguchi do not disclose or suggest a sliding button, as recited in claim 3-5. Rather, Taniguchi discloses a rotary dial 100. It is respectfully submitted that the Taniguchi rotary dial 100 does not disclose or suggest a "sliding button [which] is accessible from outside the housing, can slide parallel to the adjustment direction, and is coupled to the carrying device," as recited in claim 3; or a

"sliding button [that] has an extension projecting into an interior of the shaving apparatus, said extension projecting into a recess in the carrying device," as recite in claim 5.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

PATENT
Serial No. 10/569,175
Amendment in Reply to Office Action of May 7, 2009

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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August 5, 2009

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